

LAW OFFICES OF THOMAS M. SWIHART

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Attorney for Defendant

REAL PROPERTY AND IMPROVEMENTS
LOCATED AT 4589 CROOKED PRAIRIE ROAD,
HUMBOLDT COUNTY, CALIFORNIA,
ASSESSOR'S PARCEL NUMBER 221-181-028

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REAL PROPERTY AND IMPROVEMENTS

LOCATED AT 4589 CROOKED PRAIRIE

ROAD, HUMBOLDT COUNTY,

CALIFORNIA, ASSESSOR'S PARCEL

NUMBER 221-181-028,

Defendant

Case No.: 08-2696 WDB

**DEFENDANT'S DECLINATION TO
CONSENT TO REASSIGNMENT OF
MAGISTRATE JUDGE**

Defendant, REAL PROPERTY AND IMPROVEMENTS LOCATED AT 4589
CROOKED PRAIRIE ROAD, HUMBOLDT COUNTY, CALIFORNIA, ASSESSOR'S

Defendant's Declination to Consent to Reassignment of Magistrate Judge

1 PARCEL NUMBER 221-181-028, respectfully declines to consent to the reassignment of this
2 matter to the Honorable Nandor J. Vadas in Eureka. I have been unable to confer with Mr.
3 Countryman regarding a joint letter, but fully concur with the Government's Declination
4 previously filed herewith.

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7 Dated: August 13, 2008
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11 THOMAS M. SWIHART
12 Attorney for Defendant
13 REAL PROPERTY AND
14 IMPROVEMENTS LOCATED AT
15 4589 CROOKED PRAIRIE ROAD,
16 HUMBOLDT COUNTY,
17 CALIFORNIA, ASSESSOR'S
18 PARCEL NUMBER 221-181-028
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PROOF OF SERVICE

United States v. 4589 Crooked Lane, etc.
Case No. 08-2696 WDB

I, THOMAS M. SWIHART, declare:

I am over the age of eighteen years and not a party to the cause of action. My business address is 2039 Shattuck Avenue, Suite 308, Berkeley, CA 94704. On August 13, 2008, I served the documents described as: **DEFENDANT'S DECLINATION TO CONSENT TO REASSIGNMENT OF MAGISTRATE JUDGE** on the interested parties in this matter by placing a true copy thereof in a sealed envelope(s) addressed as follows:

David B. Countryman, AUSA
Office of the US Attorney
450 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

Service of the above document(s) was effectuated by the following means of service:

☒ **By First Class Mail** -- I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service. It is deposited with the United States Postal Service in the ordinary course of business on the same day it is processed for mailing. I caused such envelope(s) to be deposited in the mail at Berkeley, California. The envelope was mailed with postage thereon fully prepaid.

☐ **By Personal Service** -- By causing to personally deliver a true copy thereof in a sealed envelope.

☐ **By Overnight Delivery Service** -- I caused such envelope(s) to be deposited in a box or other facility regularly maintained by the express service carrier or delivered to an authorized courier or driver authorized by the express service carrier to receive documents. The envelope was deposited with the express service carrier with delivery fees paid or provided for.

☒ **Facsimile Transmission** -- I served the documents in this matter via facsimile transmission to: **(415) 436-6748**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and executed this 13th day of August, 2008, at Berkeley, California.

THOMAS M. SWIHART